

IMPORTANT - THIS COMMUNICATION AFFECTS YOUR PROPERTY

**TOWN AND COUNTRY PLANNING ACT 1990 (as amended by the PLANNING
AND COMPENSATION ACT 1991)**

BREACH OF CONDITION NOTICE

Issued by: North East Lincolnshire Borough Council

- 1. This is a formal notice** which is issued by the Council, under Section 187A of the above Act, because the Council considers that conditions imposed on a grant of planning permission DC/686/10/FRE relating to the land described below, have not been complied with. It considers that you should be required to secure compliance with the conditions specified in this notice.

- 2. The land affected by the notice**

The land known as Great Coates Motors, Estate Road 5, South Humberside Industrial Estate, Grimsby, North East Lincolnshire DN31 2TG (edged red on the attached plan).

- 3. The relevant planning permission**

The relevant planning permission to which this notice relates is the permission granted by the Council on the 25th October 2010 as per approved planning application no. DC/686/10/FRE (attached hereto).

- 4. The breach of condition**

The following condition has not been complied with:-

Condition 4

Prior to the commencement of the development hereby permitted final details on the retention of the grassed landscape area and the new tree planting shall be submitted to and approved in writing by the Local Planning Authority. The tree planting shall be carried out within 12 months beginning with the date on which development is commenced, or within such longer period as may be agreed in writing with the Local Planning authority. Such tree planting shall be maintained for a period of 5 years and during that period all losses shall be replaced during the next planting season in accordance with details approved in writing with the Local Planning Authority

Reason

To ensure the satisfactory appearance of the completed development in the interests of visual amenity to accord to saved policy E1 and GEN1 of the North East Lincolnshire Local Plan 2003.

5. **What you are required to do**

As the person responsible for the breach of condition specified in paragraph 4 of this notice, you are required to comply with the stated condition by taking the following steps:-

Requirement No. 1

Submit final details on the retention of the grassed landscape area and the new tree planting to the Local Planning Authority for approval in writing.

Time for Compliance:

Requirement No.1

28 Days from the date this notice takes effect.

6. **When this notice takes effect**

This notice takes effect immediately it is served on you or you receive it by postal delivery.

Signed:



Dated: 10 Jan 2012

On behalf of: North East Lincolnshire Borough Council

WARNING

There is no right of appeal against the notice

It is an offence to contravene the requirements stated in paragraph 5 of this notice after the end of the compliance period. You will then be at risk of immediate prosecution in the Magistrates' Court, for which the maximum penalty is £1,000 for a first offence and for any subsequent offence. If you are in any doubt about what this notice requires you to do, you should get in touch immediately with Miss K Walker, Planning and Transportation Department, Origin One, Origin Way, Europarc, Grimsby DN37 9TZ. Tel. 01472 324998

If you need independent advice about this notice, you are advised to contact urgently a lawyer, planning consultant or other professional adviser specialising in planning matters. If you wish to contest the validity of the notice, you may only do so by an application to the High Court for judicial review. A lawyer will advise you on what this procedure involves.

Do not leave your response to the last minute

NOTICE OF DECISION

Application Number: DC/686/10/FRE

Issuing Authority: North East Lincolnshire Council

Applicant's Name and Address:

Great Coates Motors
(Mr Allan McCartney)
5 Pyewipe Place
Estate Road 3
S.H.I.E, Grimsby
North East Lincolnshire
DN31 2TG

Agent's Name and Address:

Building Design Service (Grimsby) Ltd
Mr S Brown
28 Greenlands Avenue
New Waltham
Grimsby
North East Lincolnshire
DN36 4YE

The following decision has been made upon your application received on **30th July 2010** relating to:-

Application Site: Estate Road 5 (Great Coates Motors) South Humberside Industrial Estate, Grimsby

Proposal: Erect extension to garage to from 3 service bays in accordance with amended block plan received by the LPA on 25/09/10

Granted subject to:-

- 1 Condition
The development hereby permitted shall be begun within a period of three years from the date of this permission.

Reason
To comply with the requirements of Section 91 of the Town and Country Planning Act 1990.
- 2 Condition
The development hereby permitted shall be carried out in accordance with plan 03 date stamped received by the Local Planning Authority on 30th July 2010 and amended Block Plan 01 Rev A date stamped received by the Local Planning Authority on 25th September 2010.

Reason
For the avoidance of doubt and to ensure the satisfactory completion of the development in the interests of highway safety and local amenity to accord to saved Policy GEN1 and E1 of the North East Lincolnshire Local Plan 2003.
- 3 Condition
The external materials to be used in the construction of the extension shall match the existing building unless otherwise approved in writing by the Local Planning Authority.

Reason
To ensure the satisfactory completion of the development in the interests of visual amenity to accord to saved Policy GEN1 and E1 of the North East Lincolnshire Local Plan 2003.

4 Condition

Prior to the commencement of the development hereby permitted final details on the retention of the grassed landscape area and the new tree planting shall be submitted to and approved in writing by the Local Planning Authority. The tree planting shall be carried out within 12 months beginning with the date on which development is commenced, or within such longer period as may be agreed in writing with the Local Planning authority. Such tree planting shall be maintained for a period of 5 years and during that period all losses shall be replaced during the next planting season in accordance with details approved in writing with the Local Planning Authority.

Reason

To ensure the satisfactory appearance of the completed development in the interests of visual amenity to accord to saved policy E1 and GEN1 of the North East Lincolnshire Local Plan 2003.

5 Condition

The extension hereby approved shall not be used or occupied until the parking and manoeuvring areas have been implemented in accordance with approved block plan 01 Rev a date stamped received by the Local Planning Authority on 25th September 2010. The parking and turning shall be so retained thereafter.

Reason

To ensure adequate parking and turning facilities are provided in the interests of highway safety.

6 Reason For Approval

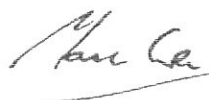
The Council as Local Planning Authority has had regard to the relevant policies of the development plan as set out and considers that subject to compliance with the conditions attached the proposal would not harm the character of the area or the amenity of neighbouring businesses and would be acceptable in all other planning considerations. Saved policy E1 and GEN1 of the North East Lincolnshire Local Plan 2003 apply

7 Informative

The applicant's attention is drawn to the comments of CE Electric UK attached.

This Notice is issued on behalf of the Local Planning Authority.

Signed:




Dated: 25th October 2010

Marc Cole

Official Capacity: Executive Director of Regeneration

Location Map



 <p>NORTH EAST LINCOLNSHIRE COUNCIL www.nelincs.gov.uk</p>	Details Plotting in MapInfo made easier			Rev No.	This product includes mapping data licensed from Ordnance Survey ©Crown Copyright 2009. Licence number 100020759	
	Drawn by walkek2	Scale 1:1250	Date 09/01/2012		Aligned Assets Limited Links One, Links Business Centre Old Woking Road, Old Woking Surrey, GU22 8BF	www.aligned-assets.co.uk
	File Pathname / Project / Drawing No.					